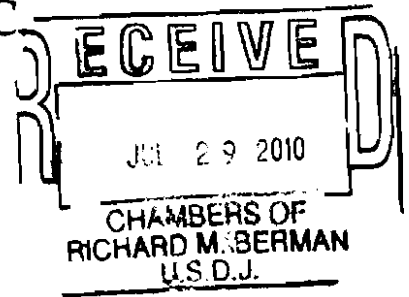


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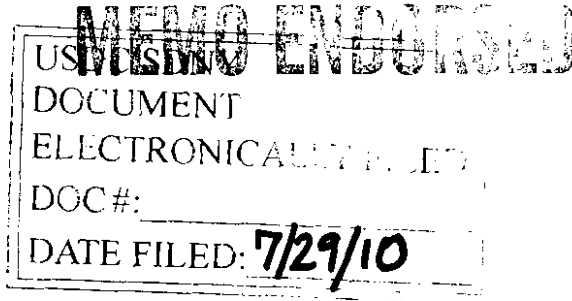
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July 29, 2010

By Hand

Hon. Richard M. Berman
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Merck Eprova AG, et ano. v. ProThera, Inc.
Civil Action No. 08 Civ. 00035 (RMB)(JCF)

Dear Judge Berman:

SO ORDERED:

Date: 7/29/10

Richard M. Berman
Richard M. Berman, U.S.D.J.

We represent defendant ProThera, Inc., in the above-referenced action and write at the suggestion of Your Honor's Clerk regarding the Court's Order of July 28, 2010, permitting defendant to respond to Plaintiff's Surreply in Opposition to Defendant's Motion for Partial Summary Judgment by July 30, 2010. While it appears the Court endorsed the order on July 28, 2010, we only received notification of the order this morning, July 29, 2010, as indicated on the attached ECF notice. We write, with the consent of counsel for plaintiff, seeking a very brief extension of time to file such a response until next Tuesday, August 3, 2010. The reasons for the requested extension are as follows.

Defendant's counsel primarily responsible for this matter, J. Christopher Jensen, is in Europe and will be returning this weekend to the United States. I have been in touch with Mr. Jensen, and he would like the opportunity to participate in preparing a response and thus has requested the brief extension noted above. Second, it appears from the timing of the Court's July 28, 2010 order that the Court intended to afford defendant at least two days to respond, but the delayed ECF notification has reduced that period.

Cowan, Liebowitz & Latman, P.C.

Hon. Richard M. Berman

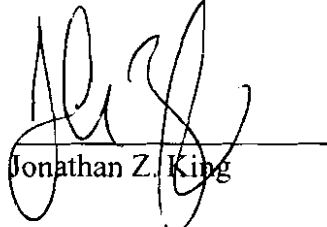
July 29, 2010

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Plaintiff's counsel has consented to this requested extension, which will delay no other deadline in this case. We thank the Court for its attention to the foregoing.

Respectfully submitted,

By:



Jonathan Z. King

COWAN, LIEBOWITZ & LATMAN, P.C.

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Attorneys for Defendant ProThera, Inc.

cc: Robert Hanlon, Esq. (via email)